

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

FILED
OCT 31 PM 3:57
U.S. DISTRICT COURT
N.D. OF ALABAMA

RAHSAAN BRANDON DARDEN,

Plaintiff,

vs.

CITY OF BRIGHTON, *et al.*,

Defendants.

CV 03-AR-2539-S

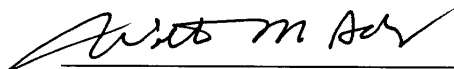
ENTERED
OCT 31 2003

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on September 30, 2003, recommending that the plaintiff's application to proceed *in forma pauperis* be denied and that this action be dismissed for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) and/or (ii). No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915(e)(2)(B)(1) and/or (ii). A Final Judgment will be entered.

DATED this 31st day of October, 2003.



WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE

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